UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

)
DAVID GOERTZ, on behalf of himself and others similarly situated,))
Plaintiff,) No. 4:14-CV-945-JAR
V.)
DENNIS J. BARTON III and THE BARTON LAW GROUP, LLC,)
Defendants.))

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff's Motion to Deem Admissions (Doc. 41). On September 18, 2014, Plaintiff's counsel emailed Defendants their Requests to Admit. Defendants failed to timely respond. Therefore, Plaintiff requests that the Court deem their Requests to Admit as admitted pursuant to Federal Rule of Civil Procedure 36(a)(3). Defendants have responded, moving for additional time to respond to Plaintiff's discovery (Doc. 42). They indicate that they failed to serve responses to the written discovery due to a clerical oversight and request an extension until October 28, 2014. Today Defendants filed a Motion to Supplement their Motion for an Extension of Time (Doc. 43), indicating that they have responded to Plaintiff's Requests for Admissions. For good cause shown,

IT IS HEREBY ORDERED that Plaintiff's Motion to Deem Admissions (Doc. 41) is **DENIED.**

IT IS FURTHER ORDERED that Defendants' Motion for Extension of Time (Doc. 42) and Motion to Supplement (Doc. 43) are **GRANTED**.

Dated this 24th day of October, 2014.

OHNA. ROSS

UNITED STATES DISTRICT JUDGE